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Attorneys for Plaintiffs and Counter-Defendants
 THE LARYNGEAL MASK COMPANY LTD.
 and LMA NORTH AMERICA, INC.

**IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

THE LARYNGEAL MASK COMPANY
 LTD. and LMA NORTH AMERICA, INC.,

Plaintiffs,

v.

AMBU A/S, AMBU INC., AMBU LTD.,
 and AMBU SDN. BHD.,

Defendants.

AND RELATED COUNTERCLAIMS

Civil Action No. 07 CV 1988 DMS (NLS)

**PLAINTIFFS' UNOPPOSED EX PARTE
 MOTION FOR FURTHER EXTENSION
 OF TIME TO FILE OBJECTIONS TO
 THE MAGISTRATE JUDGE'S DECISION
 RE THE PROTECTIVE ORDER**

Judge Dana M. Sabraw

1 Plaintiffs/Counter-defendants The Laryngeal Mask Company Ltd. and LMA North
2 America, Inc. (collectively "LMA") hereby respectfully requests a further extension of time
3 for LMA to file any objections under Rule 72(a) of the Federal Rules of Civil Procedure to
4 the August 21, 2008 decision of Magistrate Judge Nita L. Stormes regarding the Protective
5 Order in this matter [Doc. # 73]. Defendants do not oppose this motion. The original
6 deadline has already been extended once for three weeks [Doc. # 80]. The present due date
7 for filing any such objections is September 26, 2008, and LMA is requesting a further
8 extension of the due date until October 24, 2008. The reasons for this request are as follows:

9 In her decision August 21 Magistrate Stormes ruled that one of LMA's attorneys with
10 Shearman & Sterling LLP who was also on the board of directors of LMA's parent
11 corporation (and another related company) could not have access to Defendants' highly
12 confidential materials under the Protective Order. The subject attorney has now resigned
13 from both boards of directors and the parties had been attempting to meet and confer
14 regarding possibly allowing the subject attorney access under the Protective Order, but have
15 been unable to resolve the dispute. The Magistrate has now set an expedited briefing
16 schedule on a motion to modify the Protective Order, such motion to be filed by LMA on
17 September 25, 2008, opposed by October 3, 2008, and any reply filed by October 10, 2008.
18 After briefing, the matter will be taken under submission by the Magistrate.

19 The requested further extension of the Rule 72(a) filing deadline would allow
20 sufficient time for the matter to be briefed and decided by the Magistrate Judge prior to the
21 deadline, possibly avoiding the need for LMA to file any Rule 72(a) objections (and
22 Defendants to oppose) altogether. Accordingly, LMA believes that the requested extension
23 would promote efficiency and judicial economy. This request is brought in good faith and
24 not for purposes of mere delay or any other improper purpose.

25 The undersigned hereby certifies that he has conferred with opposing counsel for
26 Defendants Ryan Marton of Fenwick & West LLP and Defendants do not oppose this
27 Motion.

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1 A proposed Order granting the requested further extension of time is being
2 concurrently submitted herewith.

3 Respectfully submitted,

4 KNOBBE, MARTENS, OLSON & BEAR, LLP

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6 Dated: September 24, 2008

By: s/Frederick S. Berretta

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9 Attorneys for Plaintiffs

10 THE LARYNGEAL MASK COMPANY LTD.
and LMA NORTH AMERICA, INC.

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12 5972489

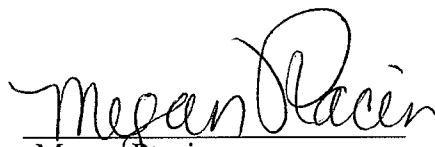
CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2008, I caused the foregoing **PLAINTIFFS' UNOPPOSED EX PARTE MOTION FOR FURTHER EXTENSION OF TIME TO FILE OBJECTIONS TO THE MAGISTRATE JUDGE'S DECISION RE THE PROTECTIVE ORDER** to be electronically filed with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the applicable registered filing users.

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I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Dated: September 24, 2008


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